

REGULAR SESSION – NOVEMBER 16, 2009

The Cape Girardeau City Council convened in regular session on Monday, November 16, 2009, at 7:00 p.m., with Mayor Jay B. Knudtson presiding and Council Members Marcia Ritter, Loretta Schneider, Debra Tracy, and John Voss present. Council Members Charlie Herbst and Mark Lanzotti were absent.

Reverend Jack Smart, of Teen Challenge International Mid America, presented the invocation, and Ethan Protzel, of Boy Scouts of America Troop 16, led the Pledge of Allegiance.

Prior to the regular session, the City Council convened in closed session for purposes of discussing litigation and confidential communications with the City Attorney pursuant to RSMo. Sections 610.021(1) and (2) upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

The minutes of the November 2, 2009, regular session were approved upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

The agenda was approved as distributed upon Mrs. Schneider's motion, Mrs. Ritter's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

Mayor Knudtson welcomed members of Boy Scout Troop 16 who were present to earn a merit badge.

COUNCIL COMMUNICATIONS

Mrs. Tracy announced that Wednesday, November 18, 2009, is the Parks and Recreation Spaghetti Day at the A.C. Brase Arena Building.

CITY MANAGER COMMUNICATIONS

City Manager Scott Meyer stated that during its first week of operations, Cape Air had 30 boardings at the Cape Girardeau Regional Airport. They have over 50 reservations for the rest of the month, and the quality of service has been good so far. Mr. Gerry Keene, Vice-Chairman of the Airport Advisory Board said that there are four arrivals and four departures staggered throughout the day.

Mayor Knudtson said that the project list for the Transportation Trust Fund 4 (TTF4) is being finalized. An open house will be held before the next Planning and Zoning Commission meeting on Wednesday, December 9, 2009. Mr. Meyer stated that at the December meeting the Commission plans to vote on the list of recommended projects. The open house will be at 6 p.m., and staff will be on-hand to answer questions. The Commission will conduct a hearing during the meeting to allow the public to make comments before the Commission votes.

CONSENT ORDINANCES

The following bills were given second and third readings:

- BILL NO. 09-176 AN ORDINANCE APPROPRIATING FUNDS FOR CAPITAL AND OPERATING EXPENDITURES FOR THE SOLID WASTE FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2010, IN THE CITY OF CAPE GIRARDEAU, MISSOURI
- BILL NO. 09-177 AN ORDINANCE AMENDING SCHEDULE F OF SECTION 26-247 OF THE CITY CODE, BY ESTABLISHING A NO PARKING ZONE ON MEADOWBROOK LANE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI
- BILL NO. 09-179 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AIRPORT AID AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE PURPOSE OF ACCEPTING A GRANT FOR PROMOTION OF SCHEDULED AIR SERVICE AT THE CAPE GIRARDEAU REGIONAL AIRPORT
- BILL NO. 09-180 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AIR TRAFFIC CONTROL TOWER OPERATING ASSISTANCE GRANT AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, AT THE CAPE GIRARDEAU REGIONAL AIRPORT
- BILL NO. 09-183 AN ORDINANCE ENACTING A NEW SECTION 26-234 AND A NEW SCHEDULE B OF THE CITY CODE PERTAINING TO SCHOOL SPEED ZONES
- BILL NO. 09-178 AN ORDINANCE APPROVING THE RECORD PLAT OF BOULDER CREST ESTATES

The second and third readings of BILL NOs. 09-176, 09-177, 09-179, 09-180, 09-183 and 09-178 were approved and the Ordinances adopted upon Mr. Voss' motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-176 is ORDINANCE NO. 4079; BILL NO. 09-177 is ORDINANCE NO. 4080; BILL NO. 09-179 is ORDINANCE NO. 4081; BILL NO. 09-180 is ORDINANCE NO. 4082; BILL NO. 09-183 is ORDINANCE NO. 4083; and BILL NO. 09-178 is ORDINANCE NO. 4084.

NEW ORDINANCES

BILL NO. 09-184 was given first reading as follows:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE GENERAL WARRANTY DEEDS TO CWC-RE HOLDINGS, LLC AND MAYSON INVESTMENTS, LLC FOR THE TRANSFER OF REMNANT PROPERTY AT THE SOUTHWEST CORNER OF MT. AUBURN ROAD AND BLOOMFIELD ROAD, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

Mrs. Schneider made a motion, seconded by Mr. Voss, to approve the first reading of BILL NO. 09-184. Mrs. Tracy made a motion, seconded by Mr. Voss, to amend BILL NO. 09-184 to authorize the Mayor Pro-Tempore to execute the General Warranty Deeds. The motion to amend was approved upon the following vote: Ayes, Ritter, Schneider, Tracy and Voss. Nays, none. The

first reading of BILL NO. 09-184 was approved as amended upon Mrs. Schneider's motion, Mr. Voss' second, and the following vote: Ayes, Ritter, Schneider, Tracy and Voss. Nays, none. Mayor Knudtson abstained from voting on BILL NO. 09-184 for financial reasons because the property owner has a financial interest at the bank where he works.

RESOLUTIONS

BILL NO. 09-185 was presented as follows:

A RESOLUTION CHANGING THE AUTHORIZED REPRESENTATIVE FOR THE CITY OF CAPE GIRARDEAU WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, REVOLVING FUND PROGRAM FOR LOANS UNDER THE MISSOURI SAFE DRINKING WATER LAW (SECTION 640, RSMO.) AND THE MISSOURI CLEAN WATER LAW (SECTION 644.006 THROUGH 644.141, RSMO.) REGARDING THE EXPANSION OF WATER PLANT NO. 1 AND VARIOUS OTHER WATER AND SEWER PROJECTS, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-185 was approved and the Resolution adopted upon Mr. Voss' motion, Ms. Ritter's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-185 is RESOLUTION NO. 2495.

BILL NO. 09-186 was presented as follows:

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES STATE REVOLVING FUND PROGRAM, FOR GRANTS UNDER THE MISSOURI CLEAN WATER LAW

The reading of BILL NO. 09-186 was approved and the Resolution adopted upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-186 is RESOLUTION NO. 2496. Mr. Meyer remarked that this Resolution allows the City to apply for a loan to cover one-half of the cost of the water transmission lines for the well water project.

BILL NO. 09-187 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR DEBT COLLECTION SERVICES WITH KANSAS COUNSELORS, INC. IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-187 was approved and the Resolution adopted upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-187 is RESOLUTION NO. 2497.

APPOINTMENTS

Mr. Cord Dombrowski was reappointed to the Show Me Center Board of Managers for a term expiring December 1, 2012, upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

Ms. Ruth Knoté was reappointed to the River Campus Board of Managers for a term expiring December 1, 2012, upon Mr. Voss' motion, Ms. Ritter's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

Mr. Aaron Altenthal was appointed to the Board of Examiners for a term expiring January 1, 2011, upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

LIQUOR LICENSES

Mrs. Schneider made a motion, seconded by Mr. Voss, to conditionally approve an original package liquor and Sunday sales license for Toni Majeed, d/b/a Semo Mart, LLC, 40 N. Sprigg St., Toni Majeed, Managing Officer. The motion was approved upon the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

Mrs. Schneider made a motion, seconded by Mrs. Tracy, to conditionally approve a 5% beer by the drink liquor license for James My Nguyen, d/b/a King Nails and Spa, 1131 N. Kingshighway, Suite A & B, James My Nguyen, Managing Officer. The motion was approved upon the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

OTHER

Mrs. Tracy made a motion, seconded by Mrs. Schneider, to change the dates of the 2010 City Council meetings as follows:

<u>Holiday:</u>	<u>Re-Scheduled Date:</u>
Monday, January 18; M.L. King Jr. Day	Tuesday, January 19
Monday, February 16; President's Day	Tuesday, February 17
Monday, July 5; Independence Day Observed	Tuesday, July 6
Monday, September 6; Labor Day	Tuesday, September 7

The motion was approved upon the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

There being no further business, the City Council adjourned upon Mr. Voss' motion, Ms. Ritter's second, and the following vote: Ayes, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none.

Jay B. Knudtson, Mayor

Gayle L. Conrad, City Clerk

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